

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

Federico Jose RUIZ-Ruiz,

Defendant

07 NOV 14 Magistrate Docket No.
CLERK SOUTHERN DISTRICT OF CALIFORNIA

'07 MJ 2662

By: *[Signature]*COMPLAINT FOR VIOLATION OF:

-) Title 8, U.S.C., ^{DEPUTY} Section 1326
-) Deported Alien Found in the
-) United States

The undersigned complainant, being duly sworn, states:

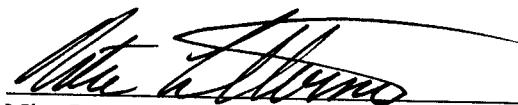
On or about **November 13, 2007** within the Southern District of California, defendant, **Federico Jose RUIZ-Ruiz**, an alien, who previously had been excluded, deported and removed from the United States to **Mexico**, was found in the United States, without the Attorney General or his designated successor, the Secretary of the Department of Homeland Security (Title 6, United States Code, Sections 202(3) and (4), and 557), having expressly consented to the defendant's reapplication for admission into the United States; in violation of Title 8 United States Code, Section 1326.

And the complainant further states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.



SIGNATURE OF COMPLAINANT
James Trombley
Senior Patrol Agent

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 14th DAY OF November
2007.



Nita L. Stormes
UNITED STATES MAGISTRATE JUDGE

CONTINUATION OF COMPLAINT:**Federico Jose RUIZ-Ruiz****PROBABLE CAUSE STATEMENT**

On November 13, 2007 at approximately 7:00 am, Border Patrol Agent Matthew McKinley was performing line watch operations in an area known as Windmill Canyon. Agent McKinley responded to a seismic intrusion device that had been activated in the area. This area is located approximately five miles east of the Otay Mesa Port of Entry in Otay Mesa, California and two miles north of the international boundary with Mexico. Agent McKinley arrived to a location north of the intrusion devise when he encountered three subjects hiding in the surrounding brush. Agent McKinley identified himself as a United States Border Patrol Agent and questioned each subject as to their citizenship and nationality. Each subject including one later identified as **Federico Jose RUIZ-Ruiz** responded "Mexico." Agent McKinley asked each subject if they possessed any immigration documents that would allow them to enter or remain in the United States legally. All three were arrested and transported to the Chula Vista Border Patrol station for processing.

Routine record checks of the defendant revealed a criminal and immigration history. The defendant's record was determined by a comparison of his criminal record and the defendant's current fingerprint card. Official immigration records of the Department of Homeland Security revealed the defendant was previously deported to Mexico on **August 31, 2004** through the Port of Entry at San Ysidro, California. These same records show that the defendant has not applied for permission from the Attorney General of the United States or his designated successor, the Secretary of the Department of Homeland Security, to return to the United States after being removed.